

## REMARKS

This application has been carefully reviewed in light of the final Office Action dated August 18, 2009. Claims 1, 3 to 7, 22, 25 and 31 to 40 are pending in the application, of which Claims 1, 22 and 25 are in independent form. Reconsideration and further examination are respectfully requested.

Claims 1, 3 to 7, 22, 25 and 31 to 40 were rejected under 35 U.S.C. § 103(a) over MS Windows XP Explorer (Explorer) in view of U.S. Patent Application Publication No. 2004/0064455 (Rosenzweig). The rejections are respectfully traversed, as explained more fully below.

The claims herein generally concern the classification of a plurality of images. An iconic representation of each of the images is displayed on a graphical user interface. An association is created between the plurality of images and an item representing a classification of the plurality of images, in response to the iconic representations of the plurality of images being positioned within an empty area on the graphical user interface. A single new iconic representation of the item representing the classification of all of the plurality of images is generated for display on the graphical user interface, based on the created association.

Applicants submit that the applied references, alone or in any permissible combination, are not seen to disclose or to suggest the foregoing arrangement, particularly the notion of generating a single new iconic representation of an item representing the classification of all of the plurality of images, for display on a graphical user interface, based on an association created in response to iconic representations of a plurality of images being positioned within an empty area on the graphical user interface.

Explorer is seen to disclose dragging and dropping two thumbnails of flower images onto a “New Zealand” directory icon.

However, unlike the claims herein, the two flower thumbnails are not positioned on an empty area, but rather are dragged and dropped into an existing folder represented by an area occupied by the “New Zealand” directory icon.

Moreover, the New Zealand directory icon is believed to be created prior to the positioning of the flower thumbnails.

On the other hand, the claims define the generation of a single new icon, based on an association created in response to iconic representations of a plurality of images being positioned within an empty area on the graphical user interface.

In contrast, Explorer is seen to disclose dragging and dropping thumbnails on to existing folders. Explorer is believed to be silent on the generation of a single new icon, based on an association created in response to iconic representations of a plurality of images being positioned within an empty area on the graphical user interface.

The Office Action concedes that Explorer fails to disclose the association of a plurality of images with an item representing a classification of the plurality of images within an empty position. Applicant concurs.

However, the Office Action contends that Rosenzweig teaches the association of a plurality of images with an item representing a classification of the plurality of images within an empty position. Applicant respectfully disagrees.

The cited portions of Rosenzweig are seen to disclose a TAG PAD pallet that is opened when a user clicks on a TAG PAD icon, and CREATE TAG function, in

which a user enters desired labels for a tag. See Rosenzweig, paragraphs [0032] and [0033].

Rosenzweig is seen to disclose that a user can click on the TAG PAD icon 102 to open the TAG PAD in order to annotate an opened thumbnail view of an image. The user has two options: to annotate the image either by dragging the annotation to (and dropping into) the image, or by dragging the image to (and dropping into) the annotation. See Rosenzweig , paragraph [0034].

Rosenzweig does not disclose the particularly claimed feature of creating an association in response to iconic representations of a plurality of images being positioned within an empty area on a graphical user interface. In fact Rosenzweig teaches away from this particularly claimed feature in teaching that the “an image may be chosen (image choice step 212) and dragged to the location of the tag (drag image step 214) in the TAG PAD palette 120.” See Rosenzweig , paragraph [0034].

Thus, the applied references, alone or in any permissible combination, are not seen to disclose or to suggest the foregoing arrangement, particularly the notion of generating a single new iconic representation of an item representing the classification of all of the plurality of images, for display on a graphical user interface, based on an association created in response to iconic representations of a plurality of images being positioned within an empty area on the graphical user interface.

In view of the foregoing remarks, independent Claims 1, 22 and 25, as well as the claims dependent therefrom, are believed to recite subject matter that would not have been obvious from the applied art, and are therefore believed to be in condition for allowance.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

### CONCLUSION

No claim fees are believed due. However, should it be determined that additional claim fees are required under 37 C.F.R. 1.16 or 1.17, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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